

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7/9  
5.14.01

In re application of:

COTTEN *et al.*

Appl. No. 09/688,371

Filed: October 12, 2000

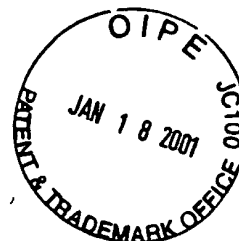
For: **Recombinant, Replication Defective  
CELO Virus and CELO Virus  
DNA**

Art Unit: 1646

Examiner: *To Be Assigned*

Atty. Docket: 0652.2150001/EKS/PAJ

**Preliminary Amendment**



Commissioner for Patents  
Washington, D.C. 20231

Sir:

In advance of prosecution, please amend the application as follows:

***In the Claims:***

Please amend the claims as follows:

29. (Once amended) The method of claim 26, wherein the host cell is infected with a CELO virus into whose genome an hsp40 expression cassette encoding hsp40 or another protein upregulated by Gam1 has been inserted.

***Remarks***

Applicants have amended claim 29 to further clarify the expression cassette which is inserted into the CELO virus. This amendment does not narrow the scope of the claim, in that the embodiments intended by Applicants to be included within the scope of claim 29 as filed

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remain the same. Support for the amendment to claim 29 can be found throughout the specification and in the claims as originally filed. In particular, support can be found, *inter alia*, in the specification at page 9, line 25 to page 10, line 6 and in original claims 26 to 29. These changes are believed to introduce no new matter, and their entry is respectfully requested.

### *Summary*

It is respectfully believed that this application is now in condition for examination. Early notice to this effect is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman  
Attorney for Applicants  
Registration No. 45,986

Date: Jan. 18, 2001

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

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